

Please Direct All Correspondence to Customer Number **30313****NOTICE OF APPEAL**

FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : Goddard, et al.  
 App. No : 10/063,661  
 Filed : May 7, 2002  
 For : A POLYPEPTIDE ENCODED BY A  
 NUCLEOTIDE UNDEREXPRESSED  
 IN ESOPHAGEAL TUMOR  
 Examiner : Seharaseyon, Jegatheesan  
 Art Unit : 1647

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 20, 2005

(Date)

AnneMarie Kaiser, Reg. No. 37,649

**Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated June 22, 2005 finally rejecting Claims 4-8 and 11-17.

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Notice of Appeal	41.20(b)(1)	1401 (\$500)		\$500
Excess Claims > 20	10 - 20 = 0	1202 (\$50)	0 x 50 =	\$0
Independent > 3	4 - 5 = 0	1201 (\$200)	0 x 200 =	\$0
			<b>TOTAL FEE DUE</b>	<b>\$500</b>

(X) Amendment After Final in four (4) pages is enclosed.

(X) An Information Disclosure Statement and PTO/SB/08 equivalent listing references for consideration:

(X) Listing twenty (20) references.

(X) Enclosing twenty (20) references.

(X) A check in the amount of \$500 is enclosed.

(X) Return prepaid postcard.

Docket No.: GNE.3230R1C105  
App. No.: 10/063,661

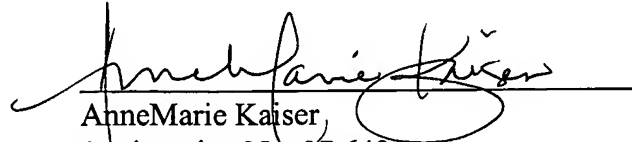
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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Dated: September 20, 2005

  
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